

## IN THE UNITED STATES RECEIVING OFFICE

Applicant : Walter H. Hsu et al.  
Serial No. : 10/509,926  
Filed : October 1, 2004  
Title : MYCOPLASMA POLYPEPTIDES

**MAIL STOP PCT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Responsive to the Notification of Missing Requirements under 35 U.S.C. § 371  
mailed June 27, 2005, Applicant as a small entity submits herewith the following:

- ☒ Declaration by the Inventor (5 pages);
- ☒ Power of Attorney by Assignee w/copy of Assignment attached (11 pages); and
- ☒ Check in the amount of \$65 for surcharge of late filing of Declaration.

The Notification of Missing Requirements indicated that a Sequence Listing is required. This application, however, does not appear to contain any sequences. Therefore, there is no need to submit a Sequence Listing, a computer readable form, and a statement under § 1.821-1.825.

08/04/2005 GREY1 00000087 10309926

08/20/2005

65.00 09

## CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EV467325027USJuly 29, 2005

Date of Deposit


Applicant : Walter H. Hsu et al.  
Serial No. : 10/509,926  
Filed : October 1, 2004  
Page : 2 of 2

Attorney's Deposit No.: 08411-041US1 / ISURF  
#02842

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: July 28, 2005

  
Patrick Finn III, Ph.D.  
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Rec'd PCT/PTO 29 JUL 2005



## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/509,926	Walter H Hsu	08411-041US1

INTERNATIONAL APPLICATION NO.
PCT/US03/10305

I.A. FILING DATE	PRIORITY DATE
04/04/2003	04/05/2002

26191  
 FISH & RICHARDSON P.C.  
 PO BOX 1022  
 MINNEAPOLIS, MN 55440-1022

CONFIRMATION NO. 4316

371 FORMALITIES LETTER



\*OC000000016321321\*

Date Mailed: 06/27/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 10/01/2004
- Copy of the International Search Report filed on 10/01/2004
- Copy of IPE Report filed on 03/02/2005
- Preliminary Amendments filed on 10/01/2004
- Information Disclosure Statements filed on 04/20/2005
- Biochemical Sequence Listing filed on 10/01/2004
- Small Entity Statement filed on 10/01/2004
- U.S. Basic National Fees filed on 10/01/2004
- Priority Documents filed on 10/01/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/509,926	PCT/US03/10305	08411-041US1